

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Appl. No. : 10/764,126  
Applicant : J. Scott Perry et al.  
Filed : January 23, 2004  
Title : PAIRED BASIS SWAP RISK AND CREDIT  
MITIGATION SYSTEM AND COLLATERAL  
MINIMIZATION SYSTEM  
Art Unit: : 3694  
Examiner : Brian E. Fertig  
Docket No. : P-0418

June 11, 2009

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Responsive to the Office Action mailed on December 31, 2008, the Applicants respond to the Office Action as follows:

**Description of Personal Interview:**

We thank the Examiner for taking time for a personal interview. A brief summary of the results of the interview are as follows:

1. Discussed solutions to the 112 objections and agreed with the Examiner's suggestions to remove the term "for" from Claim 1.
2. Agreed to amend the "means for" language in Claim 1.
3. Agreed to add structure to Claims 2 and 3 and will tie at least some of the steps to structural components to overcome the 101 rejections.

4. Add dependent claims from each of the independent claims.

**Claim Objections:**

The Examiner objected to Claim 1 due to the recitation of “for” clauses.

Applicants have taken the Examiner’s suggestion and eliminated this language from Claim 1.

**Section 112 Rejections:**

The Examiner rejected Claim 1 under 35 USC 112 as being indefinite for having “means for” language. Applicants have amended Claim 1 to remove the “for” language to overcome this rejection.

**Section 101 Rejections:**

Claim 1 was rejected under 35 USC 101 for recitation of the element “a plurality of counterparties”. Applicants have taken the Examiner’s suggestion and deleted this element from Claim 1. Claims 4-6 were rejected for depending on the rejected based Claim 1 and therefore should be allowable due to the amendment to Claim 1.

Claims 2-3 were rejected under 35 USC 101 for being directed to non-statutory subject matter. To overcome this rejection the Applicant has amended Claims 2 and 3 in accordance with the discussion at the personal interview held on March 24, 2009, attended by J. Scott Perry, one of the inventors and the undersigned. Now the method is tied to a more definite apparatus utilized in the method.

**New Claims**

New dependent claims 7-69 are added to include additional features of the invention disclosed in the specification that was previously filed. No new matter has been added.

It is respectfully requested that the Examiner reconsider his rejections in view of the above arguments and amendments to Claims 1-3 and the addition of new claims 7-69.

If the Examiner is unable to immediately issue a Notice of Allowance in connection with this Application, he is respectfully requested to telephone the undersigned attorney prior to issuing a further Office Action.

Respectfully submitted,

By: /s/ Peter D. Aufrichtig  
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